

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA

VS.

CAUSE NO.: 3:17-CR-137

NICHOLAS THAMES

MOTION FOR MENTAL EVALUATION

COMES NOW Defendant, Nicholas Thames, by and through counsel, and files this his Motion for Mental Evaluation and Defendant would state as follows:

1) Defendant was indicted for interference with commerce by threat or violence (18 U.S.C. §1951) and discharging a firearm during and in relation to a crime of violence (18 U.S.C. §924 (c)(1)).

2) Defendant entered a guilty plea to discharging a firearm in relation to a crime of violence on May 8, 2018. The defense did not raise any concerns about the competency of Defendant at the time of the offense.

3) On May 23, 2018, during the pre-sentencing investigation conference, Defendant Thames indicated that at the time of the incident that he was laboring under so much pressure that he could not be certain if he could distinguish between right and wrong.

4) 18 U.S.C. §4241(a) provides, inter alia, that prior to sentencing a motion may be filed to determine the mental competency of the defendant.

5) Defendant, therefore, requests a hearing to determine if there are reasonable grounds to believe that the Defendant was mentally incompetent at the time of the incident.

WHEREFORE, PREMISES CONSIDERED, the Defendant prays that the Court will his request for an evidentiary hearing to determine the need for a mental examination.

RESPECTFULLY SUBMITTED, this the 15th day of June, 2018.

NICHOLAS THAMES,
DEFENDANT

BY: /s/ Sanford E. Knott
SANFORD E. KNOTT, MSB #8477
ATTORNEY FOR DEFENDANT

OF COUNSEL:
SANFORD KNOTT & ASSOCIATES, P.A.
POST OFFICE BOX 1208
JACKSON, MISSISSIPPI 39215-1208
TELEPHONE NUMBER: (601) 355-2000
FACSIMILE NUMBER: (601) 355-2600

CERTIFICATE OF SERVICE

I, Sanford E. Knott, do hereby certify that I have on this day mailed, via United States mail, postage prepaid, a true and correct copy of the foregoing Motion to the following:

Abe McGlothin, Esquire
Office of the United States Attorney
188 East Capitol St., Suite 500
Jackson, Mississippi 39201

This the 15th day of June, 2018.

/s/ Sanford E. Knott
Sanford E. Knott, MSB #8477